

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**September 5, 2000**

**IN RE:**

**BELLSOUTH TELECOMMUNICATIONS, INC.  
TARIFF TO INTRODUCE BELLSOUTH'S  
CHANNELIZED TRUNK SERVICE**

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) **DOCKET NO. 99-00711**  
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**ORDER APPROVING TARIFF**

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This matter came before the Tennessee Regulatory Authority ("Authority") at a regularly scheduled Authority Conference on March 14, 2000 upon the tariff filing by BellSouth Telecommunications, Inc. ("BellSouth") to introduce channelized trunk service. BellSouth originally filed Tariff No. 99-00711 (the "Tariff") on September 23, 1999, with an effective date of January 4, 2000.

Channelized trunk service provides customers with a flat rate DS1 (1544 Mbps) circuit that will allow the activation of twenty-four (24) analog channels between the customers' premises and the serving central office. Each of the subscribers' channels can be provisioned for incoming-only, outgoing-only, or for both incoming and outgoing calls. Each channel is equipped with network access, hunting and touch-tone.

Under this tariff, customers may either subscribe to channelized trunk service on a month-to-month basis, or enter into term plans ranging from twenty-four (24) to ninety-six (96) months to receive discounted rates. The longer the term commitment by the customer the greater the discount provided by BellSouth. Subscribers that discontinue the term plan prior to its

expiration, however, are liable for termination provisions calculated pursuant to the following tariff language:

A Termination Liability Charge (TLC) is applicable if service is terminated prior to its expiration of a customer selected optional payment period. The applicable charge is based on the service period to which the customer is subscribed and will be equal to the contracted monthly rate for Access lines, Service Interface, Channels and Telephone Numbers for the lesser of either the remaining contracted months or twelve months.

This matter was scheduled for the December 20, 1999 Authority Conference. However, BellSouth filed a letter on December 16, 1999 requesting deferral of action on this Tariff to allow additional time for BellSouth and the Authority to resolve issues pertaining to termination provisions in the Tariff. Notwithstanding that request, at the December 20<sup>th</sup> Conference, BellSouth was asked to implement termination liability similar to that approved for Toll Free Dialing (TFD) Service (Docket No. 99-00683).<sup>1</sup> In Docket No. 99-00683, BellSouth proposed termination language requiring a customer to repay the discounts received under a term plan (the difference between the contracted rate and the tariff month-to-month rate), limited to a maximum recovery of twelve months of discounts. At the December 20<sup>th</sup> Conference, the Directors voted unanimously to suspend BellSouth's Tariff for ninety (90) days through April 2, 2000 to resolve the termination provision issue and amend its Tariff.

On January 20, 2000, BellSouth filed an amended tariff. The amended tariff revised the termination language to that approved for Toll Free Dialing Service and reads as follows:

If a customer terminates service prior to the end of the optional payment period the customer has selected, the customer will pay a termination liability charge equal to the difference between the month-to-month rate for the service and the monthly rate for the service under the optional payment

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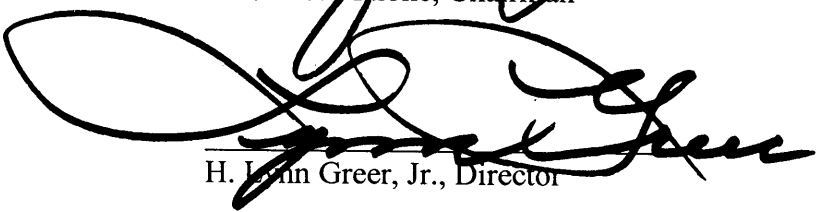
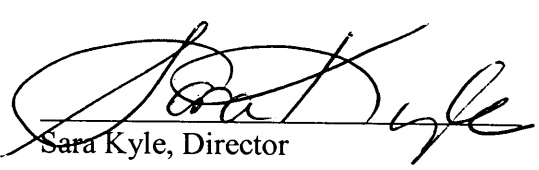
<sup>1</sup> The termination provisions approved by the Authority in TFD (Docket No. 99-00683) allow BellSouth to recover the discounts that it has extended to the customer over the term plan, up to a maximum of twelve (12) months. Under this provision, BellSouth is simply recapturing the benefits that it has already conferred upon the customer and is not attempting to recover any charges for services not yet provided.

period selected by the customer, multiplied by the lesser of (a) the number of months the optional payment period had been in effect as of the termination date or (b) twelve months.

At a regularly scheduled Authority Conference held on March 14, 2000, the Directors voted unanimously to approve the tariff as amended on January 20, 2000 to include the termination language included herein.

**IT IS THEREFORE ORDERED THAT:**

Tariff No. 99-00711 as filed by BellSouth Telecommunications, Inc. is approved.

  
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Melvin J. Malone, Chairman  
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H. John Greer, Jr., Director  
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Sara Kyle, Director

ATTEST:

  
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K. David Waddell, Executive Secretary